

1 BILL NO. G- 82-01-40 (as amended)

2 GENERAL ORDINANCE NO. G- Last

3
4 An Ordinance prohibiting the use of money
5 raised from city taxes for use and support
6 of Civic and Convention Center.

7 WHEREAS, the Common Council of the City of Fort Wayne
8 has jurisdiction over the expenditure of city funds; and,

9 WHEREAS, the City of Fort Wayne through its Redevelop-
10 ment Commission is proposing the construction of a new
11 Civic and Convention Center along with a hotel, which
12 complex will be located on the block bounded by Washington
13 Boulevard, Jefferson Boulevard, Calhoun Street and Harrison
14 Street in Fort Wayne, Indiana; and,

15 WHEREAS, said Civic Center and hotel complex should
16 be constructed and operated without the expenditure of
17 tax money raised by the City of Fort Wayne, Indiana from
18 real estate and personal property taxes.

19 NOW THEREFORE BE IT ORDAINED:

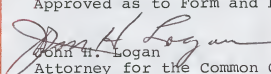
20 Section 1. There shall never be tax money raised by
21 City of Fort Wayne, Indiana from real estate and personal
22 property spent for construction, maintenance and operation
23 of the new Civic Center and hotel complex located on
24 real estate in the block bounded by Washington Boulevard,
25 Jefferson Boulevard, Calhoun Street and Harrison Street
26 in the City of Fort Wayne, Indiana;

27 Section 2. This ordinance shall be in full force
28 and effect from and after its passage and approval by the
29 Mayor.

30 NOTE: SEE AMENDMENT TO
31 ORDINANCE ON PAGE 2


COUNCILMAN

32 Approved as to Form and Legality


John H. Logan
Attorney for the Common Council
of the City of Fort Wayne,
Indiana.

1
2 AMENDMENT TO BILL NO. G-82-01-40

3 This ordinance shall not affect expenditures made prior
4 to the date of enactment of this ordinance, or expenditures
5 made with tax dollars raised by T.I.F. for ancillary projects
6 in the bonded areas.
7

8 Amendment made by D. Schmidt -

9 Passed by the following vote:

10 Ayes: Eight
11 Nays: None
12 Absent: One

13 Date: 2-9-82
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Read the first time in full and on motion by Burns, seconded by Burns, and duly adopted, read the second time by title and referred to the Committee City Planning (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 1-26-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Burns, seconded by Schmidt, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>4</u>	<u>4</u>	_____	<u>1</u>	_____
<u>BRADBURY</u>	_____	<u>X</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	_____	<u>X</u>	_____	_____	_____
<u>GIAQUINTA</u>	_____	<u>X</u>	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	<u>X</u>	_____
<u>SCHMIDT</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	<u>X</u>	_____	_____	_____

DATE: 2-9-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. _____ on the _____ day of _____, 19____.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

WIN MOSES, JR. - MAYOR

Read the first time in full and on motion by _____,
seconded by _____, and duly adopted, read the second time
by title and referred to the Committee _____ (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: _____

CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by _____,
seconded by _____, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	8	0		1	
BRADBURY	X				
BURNS	X				
EISBART	X				
GIAQUINTA	X				
NUCKOLS				X	
SCHMIDT	X				
SCHOMBURG	X				
STIER	X				
TALARICO	X				

DATE: _____

CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)

(APPROPRIATION) ORDINANCE (RESOLUTION) NO. _____

on the _____ day of _____, 19____.

ATTEST:

(SEAL)

CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19____, at the hour of
_____ o'clock _____ M., E.S.T.

CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of _____
19____, at the hour of _____ o'clock _____ M., E.S.T.

WIN MOSES, JR. - MAYOR

*Filed
1/19/82*

BILL NO. _____

C-82-01-40

REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON City Utilities TO WHOM WAS REFERRED AN
ORDINANCE prohibiting the use of money raised from city taxes for
use and support of Civic and Convention Center

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

PAUL M. BURNS - CHAIRMAN *Paul M. Burns*

MARK E. GIAQUINTA - VICE CHAIRMAN *Mark E. Giaquinta*

JAMES S. STIER *James S. Stier*

JANET G. BRADBURY *Janet G. Bradbury*

ROY J. SCHOMBURG *Roy J. Schomburg*

DATE *2-9-82*

CITY CLERK

do so rather than go through the proper channels. In so doing Mayor Moses has destroyed the organizational structure of city government prescribed by statute to protect against detrimental political shenanigans and to provide uniformity of city government structure throughout the state. All this disorganization was accomplished even before home rule went into effect. It should be noted that home rule legislation even preserves the same city government organization as before home rule legislation.

Moses campaigned with a promise to reorganize city government along the lines of a business. Unfortunately, the city as a corporation is a big business and Moses has restructured it along the lines of a small business like a wheel with all spokes leading to the mayor's office. The state legislature realized that a city the size of Ft. Wayne could not reasonably operate with a structure in which everyone reports directly to the mayor. The state legislature set up an appropriate structure which Mayor Moses was obliged by law to operate within and which the city council as watchdogs over the administrative branch are obliged to confine the mayor to. Now the mayor wants to use the safety co-ordinator position to create his own structure in conflict with state statute which would strip board members of substantial authority and responsibility and leave them dangling in limbo.

The city cannot afford to allow the mayor to continue to operate outside the confines of statute or to allow the city council to continue to turn a deaf ear and blind eyes to what is going on.

Sincerely,

Richard D. Sloan

RICHARD D. SLOAN

See attached note
sheet.

This ord. shall not affect expenditures
~~already~~ made prior to the date of
Enactment of this ord., or Expenditures
made with tax \$ raised by TIF,
for ancillary projects in the bounded-area

1218 1/2 Schilling Avenue

Ft. Wayne, IN 46808

27 January 1982

Ft. Wayne City Council
One Main Street, City-County Bldg.
Ft. Wayne, Indiana

Dear Councilmen;

On previous occasion I have explained to you (Ms. Bradley excepted) how Mayor Moses has by-passed/circumvented the Board of Public Works and is illegally usurping and exercising the authority of the Board of Public Works directly and indirectly through subordinate public works officials ingratiated to the mayor due to having been illegally appointed to their posts by the mayor. I have also explained how the personnel director in his role with employee grievances is an integral part of this administrative operational procedure.

The Department of Public Safety and Department of Public Works are much alike in that both are created by statute, both are delegated their authority directly from statute and not from the mayor, and both are headed by multi-member boards the political composition of which is prescribed by statute. But the Board of Safety cannot be circumvented in the same manner in which the Board of Works is circumvented. Because of inaction by the city council the Moses administration has been able to eliminate the Board of Works from employee grievances and set Personnel Director James Huntine up as final authority before arbitration. This enables Moses to circumvent and eliminate the Board of Works from management duties which by law it is responsible for. This same procedure cannot be used with the Board of Safety because local legislation specifically locks the Board of Safety into the employee grievance procedure.

The vessel used to circumvent the Board of Safety is the position of Safety Co-ordinator. Supervision, direction, and co-ordination are the proper duties and responsibilities of the Board of Safety as is true of the Board of Works. The safety co-ordinator is in effect an illegal board member with influence and authority but minus the title and as such upsets the political composition of the board designated by law. The Board of Public Works as an administrative head has a good deal more actual work to do than does the Board of Safety yet we do not hear the Moses administration calling for a Public Works Co-ordinator.

Even if there were a legitimate need for such co-ordination positions they could be legitimate positions only if filled by persons duly appointed by the proper authority of the appropriate boards of designated political composition and only if they are directly responsible to the appropriate board from which they would have to draw their delegated authority. Under no circumstances should such officials in co-ordination positions be appointed by or directly responsible to the mayor.

The claim that such co-ordination position is necessary because the mayor does not have the time to deal with the various safety departments is without merit or relevance. There is only one safety department and that is headed up by the Board of Safety. The Police Department, Fire Department, EMS Department, and Communications Department are misnomers. They are only subdivisions of the Safety Department and should conduct their business with the Board of Safety and not the mayor. The mayor need deal only with the Board of Safety.

The various subdivisions within the Department of Safety and the Department of Public Works only swamp the mayor's office because the mayor in his attempts to circumvent the appropriate boards has encouraged them to